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*Counsel for Plaintiffs*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION

COTTONWOOD ENVIRONMENTAL )  
LAW CENTER; MONTANA RIVERS; )  
and GALLATIN WILDLIFE )  
ASSOCIATION, )

Plaintiff, )

vs. )

RON EDWARDS, in his official )  
capacity as Manager of Big Sky Water )  
and Sewer District; and BIG SKY )  
WATER AND SEWER DISTRICT. )

Defendants. )

Case No. 2:18-CV-00028-BMM

DECLARATION OF  
JOE GUTOWSKI

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I, Joe Gutowski, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

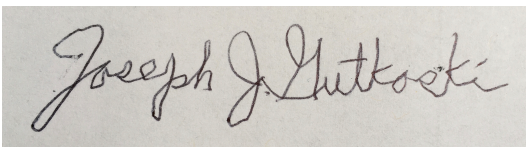
1. I have personal knowledge of the matters stated herein and, if called as a witness, would competently testify.
2. I submit this declaration on my own behalf and as a member of Cottonwood, Montana Rivers, and Gallatin Wildlife Association.
3. I am a resident of Bozeman, Montana.
4. I have been a member of Cottonwood Environmental Law Center and Gallatin Wildlife Association for several years.
5. As a member of Cottonwood and Gallatin Wildlife Association, I donate time and money to these organizations.
6. I am the President of Montana Rivers, a nonprofit dedicated to protecting water quality and quantity in Montana. I have been fighting to protect the Watershed for over 20 years.
7. I have been enjoying the West Fork of the Gallatin and Gallatin River watershed (the Watershed) for more than 20 years. I used to recreate on the West Fork of the Gallatin River and the Gallatin River on a regular basis.
8. Part of my enjoyment stems from recreating in the area through fishing, skiing, hunting, observing the scenery and wildlife watching.
9. This area is important to me because it is in a convenient location and close to Bozeman.
10. I have fought to stop Big Sky Water and Sewer District from building a pipeline to discharge pollutants into the West Fork of the Gallatin River and the Gallatin River itself.
11. I am concerned about Big Sky Water and Sewer District discharging nutrients and pharmaceuticals into the Watershed.
12. I have plans to fish the West Fork of the Gallatin River east (downstream) of Big Sky Water and Sewer District's Water Resources

Recovery Facility next summer between June and August, contingent upon my health.

13. The Plaintiffs have filed this lawsuit because the Big Sky Water and Sewer District is currently illegally discharging pollutants into the West Fork of the Gallatin.
14. My recreational interest in fishing the Gallatin River is harmed by the Defendants' illegal discharge of pollutants. The pollutants harm fish and the aquatic species they consume through habitat degradation.
15. Degraded water quality in the Watershed negatively affects my enjoyment while recreating. I have fought to protect this watershed for decades, and know that the Department of Environmental Quality already considers the West Fork of the Gallatin to be an impaired waterbody. The Big Sky Water and Sewer District's continued discharge of pollutants and pharmaceuticals into the Watershed harms my interest in the water.
16. If the pollutant discharge is not enjoined, my opportunities to recreate and wildlife watch in the Watershed will be harmed. Failure to stop this illegal discharge will cause irreparable harm to my scientific, recreational, and aesthetic interests.
17. Enjoining the discharge of pollutants will redress my conservation, recreational, and aesthetic interests in the Watershed.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Date: October 24, 2020.

A handwritten signature in cursive script, reading "Joseph J. Gutkowski", written in dark ink on a light-colored rectangular background.